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May 24, 2011

The Honorable Shira A. Scheindlin  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 15C  
New York, N.Y. 1007-1312

VIA FACSIMILE  
(212) 805-7920

*No extensions will be granted*

In view of defendant's indication that it does not oppose submission of this Amicus Curiae brief, the Court will accept the brief from Amici, provided it is submitted no later than June 3, 2011. Defendant's reply to the brief, if any, is due June 21, 2011. Both brief and reply are limited to 12.5 pages.  
SO ORDERED

5/25/11

*Shira A. Scheindlin  
U.S.D.J.*

Case No.: Konowaloff v. The Metropolitan Museum of Art, No. 10-CV-9126 (SAS)

Re: Motion to File Brief *Amicus Curiae*

Dear Judge Scheindlin:

I am sending this letter in accordance with Your Honor's Individual Rule and Procedure IV(A) to request a pre-motion teleconference on May 31, 2011, if one is desired by the Court or any party in this case.

*Amici* and their lawyers working *pro bono* are an organization and a group of academics, practitioners and other individuals devoted in various ways to insuring that the judicial record reflects historical truth in cases arising out of war, genocide and revolution, as well as the massive theft of property, particularly cultural property, that always accompanies such lawlessness. *Amici* seek to file a Motion to File Brief *Amicus Curiae* to provide their objective expertise and insight into the application of flexible standards, particularly the Act of State doctrine and *laches* doctrine, to historical claims. *Amici* will not address the merits concerning whether the particular painting at issue in this case should be restituted. The brief will not exceed 12.5 pages, one-half the length of a standard brief filed with this Court in accordance with Individual Rule & Procedure IV(G). *Amici* do not request oral argument on the motion.

The brief will support Plaintiff Pierre Konowaloff's Opposition to Defendant Metropolitan Museum of Art's Motion to Dismiss Plaintiff's Amended Complaint filed May 23, 2011. The plaintiff has consented to *amici*'s motion.

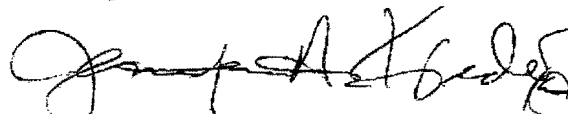
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If the defendant wishes to oppose the motion and any conference or oral argument is to be scheduled, I would request that it be conducted via teleconference so that I need not travel to New York. Alternatively, I would ask that my co-counsel, Lucille A. Roussin, Director of the Holocaust Claims Restitution Practicum at the Benjamin N. Cardozo School of Law in New York, be allowed to attend in my place although I currently intend to electronically file a Notice of Appearance as counsel of record to *amici* in this case.

Professor Roussin, also acting *pro bono*, does not currently have an ECF account in the Southern District of New York, but will begin the process to obtain one ASAP. My application is pending, but cannot be completed until I am able to send the Clerk my Change of Name form. I will send that to the Clerk as soon as I receive a verified copy of my marriage license.

Finally, *amici* would like to note that they do not seek to participate in this case in any way beyond filing the motion and brief *amicus curiae* and thank you for your consideration.

Sincerely,



Jennifer Anglim Kreder  
Professor of Law & Associate Dean  
for Faculty Development

cc (via facsimile): See attached Service List

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